

## Filing Tort Claims

If a person wishes to file a tort claim for damages with the City of Bloomington, state law requires that the citizen submit a written letter including specific information. Pursuant to IC 34-13-3-12, the letter must be delivered in person or by registered or certified mail. The letter must be delivered within one hundred eighty (180) days after the loss occurs. The letter must include all of the following information:

1. The name and address of the claimant;
2. A short and plain statement of the facts on which the claim is based;
3. The circumstances which allegedly brought about the loss;
4. The extent of the loss;
5. The time and place the loss occurred;
6. The names of all persons involved, if known;
7. The amount of damages sought;
8. The residence of the person making the claim at the time of the loss and the time of filing the notice;
9. The letter should be addressed to:

City of Bloomington  
Legal Department  
401 N. Morton St., Suite 220  
P.O. Box 100  
Bloomington, IN 47402

In order for the claim to be promptly handled, the letter should contain telephone numbers and any other relevant contact information for the claimant and witnesses. Copies of estimates, bills, receipts, photographs, etc. may also be provided.

The City of Bloomington has ninety (90) days to respond to the claim. A claim is considered denied if the City of Bloomington fails to approve the claim in its entirety within ninety (90) days. Pursuant to IC 34-13-3-12, a person may not initiate a lawsuit against the City of Bloomington unless the person's claim has been denied in whole or in part.

There are many statutory immunity provisions, listed under IC 34-13-3-3, which limit municipal liability. Each tort claim is evaluated accordingly.